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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/704,417	11/01/2000	Kenneth W. Aull	15-0231	4633

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EXAMINER

QUINONES, EDEL H

ART UNIT PAPER NUMBER

2131

DATE MAILED: 04/14/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/704,417

Applicant(s)

AULL, KENNETH W.

Examiner

Edel H Quinones

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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III. Detailed Action

1. Claims 1-25 are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 8, 14 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ginter et al. (U.S. Patent 6,658,568 and Ginter hereinafter) in view of Riggins (U.S. Patent 6,233,341).

In regards to claims 1, 8, 14 and 20, Ginter discloses a system for automatically obtaining a second certificate for a user using a first certificate (i.e. generating certificates based on other certificates) (figure 51E), the method of the system comprising: accessing a registration server (figure 51E, #500B) using a user's server (figure 51E, #500A) and the first certificate (figure 51E, #504(1)) of the user to create a connection that authenticates both the user's server identity via a server certificate of the user server and the user's identity via the user's first certificate (col. 85, lines 11-15); creating a secure data channel between the registration server and the user server; forwarding a request for the second certificate from the user server to the registration server; determining in the registration server (i.e. certifying authority 500B) that the user is entitled to the second certificate (col. 85, lines 11-15); and forwarding the second certificate from the another authority to a directory (figure 52). The Examiner infers that the certifying authority

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of Ginter comprises the registration server, the authority to generate a private/public key pair and the signing authority of the instant application.

Ginter does not explicitly state that the certifying authority generates a private/public key pair; sends the private key to the user; and signs the public key.

However, having a certifying authority generating a private/public key pair, sending the corresponding private key to the user and signing the public key is old and well known in the art as disclosed by Riggins (col. 1, lines 54-67).

Therefore it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the teaching of Ginter with the teachings of Riggins to include that the certifying authority generates a private/public key pair; sends the private key to the user; and signs the public key with the motivation to utilize a well established method of recognizing entities participating in electronic transactions (Riggins col. 1, lines 40-53).

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ginter in view of Riggins as applied to claim 1 above, in further view of Marvit et al. (U.S. Patent 6,625,734 and Marvit hereinafter).

In regards to claims 2, the combination of Ginter and Riggins teaches the system of claim 1 as discussed above.

The combination of Ginter and Riggins does not teach sending a backup copy of the private key from the authority to a key recovery authority.

Marvit teaches a system for controlling and tracking access to information that is disseminated by a network (col. 1, lines 6-9).

Marvit teaches sending a backup copy of the private key from the authority to a key recovery authority (col. 18, lines 30-34).

Therefore it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the combination of Ginter and Riggins with the teachings of Marvit to include sending a backup copy of the private key from the authority to a key recovery authority with the motivation to ensure that the key can be made available should the key be inadvertently deleted (Marvit col. 18, lines 31-33).

4. Claims 3-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ginter in view of Riggins as applied to claims 1, 8, 14 and 20 above, in further view of Haber et al. (U.S. Patent 5,373,561 and Haber hereinafter).

In regards to claims 3, 9, 15 and 21, the combination of Ginter and Riggins teaches the system of claims 1, 8, 14 and 20 as discussed above.

The combination of Ginter and Riggins does not teach that the first certificate comprises a signature certificate.

Haber discloses a system for certifying or validating the existence or occurrence of a recorded document or event by relying upon cryptographic assumptions to establish the basis for such a certification or validation (col. 1, lines 6-10). Haber teaches extending the reliability of any type of certificate (i.e. signature certificate or encryption certificate) (col. 2, lines 51-54) by generating a new certificate from a combination of the original certificate and the original digital document (col. 2, lines 3-26).

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Therefore it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the combination of Ginter and Riggins with the teachings of Haber to include that the first certificate comprises a signature certificate with the motivation to extend the validity of the original certificate (Haber col. 1, lines 53-56).

In regards to claims 4, 10, 16 and 22, the combination of Ginter and Riggins teaches the system of claims 1, 8, 14 and 20 as discussed above.

The combination of Ginter and Riggins does not teach that the second certificate comprises an encryption certificate.

Haber teaches extending the reliability of any type of certificate (i.e. signature certificate or encryption certificate) (col. 2, lines 51-54) by generating a new certificate from a combination of the original certificate and the original digital document (col. 2, lines 3-26).

Therefore it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the combination of Ginter and Riggins with the teachings of Haber to include that the second certificate comprises an encryption certificate with the motivation to extend the validity of the original certificate (Haber col. 1, lines 53-56).

In regards to claims 5, 11, 17 and 23, the combination of Ginter and Riggins teaches the system of claims 1, 8, 14 and 20 as discussed above.

The combination of Ginter and Riggins does not teach that the first certificate comprises an expiring signature certificate and the second certificate comprises a replacement signature certificate.

Haber teaches extending the reliability of any type of certificate (i.e. signature certificate or encryption certificate) (col. 2, lines 51-54) by generating a new certificate from a combination of the original certificate and the original digital document (col. 2, lines 3-26).

Therefore it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the combination of Ginter and Riggins with the teachings of Haber to include that the first certificate comprises an expiring signature certificate and the second certificate comprises a replacement signature certificate with the motivation to extend the validity of the original certificate (Haber col. 1, lines 53-56).

In regards to claims 6, 12, 18 and 24, the combination of Ginter and Riggins teaches the system of claims 1, 8, 14 and 20 as discussed above.

The combination of Ginter and Riggins does not teach that the first certificate comprises a signature certificate and the second certificate comprises a replacement encryption certificate.

Haber teaches extending the reliability of any type of certificate (i.e. signature certificate or encryption certificate) (col. 2, lines 51-54) by generating a new certificate from a combination of the original certificate and the original digital document (col. 2, lines 3-26).

Therefore it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the combination of Ginter and Riggins with the teachings of Haber to include that the first certificate comprises a signature certificate and the second certificate comprises a replacement encryption certificate with the motivation to extend the validity of the original certificate (Haber col. 1, lines 53-56).

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In regards to claims 7, 13, 20 and 25, the combination of Ginter and Riggins teaches the system of claims 1, 8, 14 and 20 as discussed above.

The combination of Ginter and Riggins does not teach that the first certificate comprises a signature certificate and the second certificate comprises one of either the user's current encryption certificate or an expired encryption certificate of the user.

Haber teaches extending the reliability of any type of certificate (i.e. signature certificate or encryption certificate) (col. 2, lines 51-54) by generating a new certificate from a combination of the original certificate and the original digital document (col. 2, lines 3-26).

Therefore it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the combination of Ginter and Riggins with the teachings of Haber to include that the first certificate comprises a signature certificate and the second certificate comprises one of either the user's current encryption certificate or an expired encryption certificate of the user with the motivation to extend the validity of the original certificate (Haber col. 1, lines 53-56).

Other Prior Art Made of Record

5. A. Geer, Jr. et al. (U.S. Patent No. 6,490,358) discloses enabling business transactions in computer networks;
- B. Angebaud et al. (U.S. Patent No. 5,218,637) discloses a method of transferring a secret by the exchange of two certificates between two microcomputers which establish reciprocal authorization; and
- C. Boeyen et al. (U.S. Patent No. 6,675,296) discloses an information certificate format converter apparatus and method.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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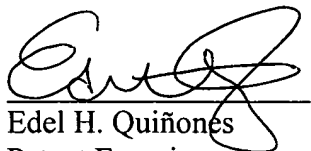
Points of Contact

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edel H. Quiñones whose telephone number is 703-305-8745.

The examiner can normally be reached on M-F (8:00AM-5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-305-3718.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Edel H. Quiñones
Patent Examiner
Technology Center 2100

April 9, 2004



AYAZ SHEIKH
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